



Advocates for Workplace Fairness

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/15/2020

September 15, 2020

Via ECF

District Judge Hon. Analisa Torres
United States District Court
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007

Re: Soler v. Fresh Direct, LLC, No. 20 Civ. 3431 (AT) (BCM)

Dear Judge Torres:

We represent Plaintiffs in the above-referenced matter. We write jointly with Defendants, to respectfully request a further adjournment of the Court's initial pretrial conference in contemplation of mediation. *See* ECF No. 24.

On July 17, 2020, the parties submitted a letter advising the Court of a September 11, 2020 mediation with mediator Stephen Sonnenberg and requesting an adjournment of their August 27, 2020 initial pretrial conference in light of that mediation. *See* ECF No. 23. On July 20, 2020, the Court granted the parties' request and adjourned the conference until October 1, 2020, with a joint status letter to be submitted by the parties by September 24, 2020. *See* ECF No. 24. Since then, the parties have worked collaboratively to collect the information necessary for a productive mediation, including applicant data for the entire class period. This has been a time intensive task, which Defendants now believe will not be completed until the end of September. To permit the parties sufficient time to review and analyze the data in advance of mediation, the parties asked Mr. Sonnenberg to reschedule the mediation, and have subsequently agreed to a new mediation date of October 23, 2020.

Accordingly, the parties respectfully request that the Court adjourn the deadlines for the September 24, 2020 status letter and the October 1, 2020 initial pretrial conference until after their October 23, 2020 mediation. This is the parties' second request to adjourn these deadlines in contemplation of mediation. The parties respectfully posit that such an extension will not unduly delay the litigation because the information that Defendants are collecting in contemplation of mediation would also need to be collected as part of discovery.

We thank the Court for its attention in this matter.

Respectfully submitted,



Ossai Miazad

cc: Parties of Record (via ECF)

GRANTED. The initial pretrial conference scheduled for October 1, 2020 is ADJOURNED to **November 10, 2020**, at **11:20 a.m.** The conference will proceed telephonically. The parties are directed to call either (888) 398-2342 or (215) 861-0674, and enter access code 5598827.

By **November 3, 2020**, the parties shall submit their joint letter and proposed case management plan.

SO ORDERED.

Dated: September 15, 2020
New York, New York



ANALISA TORRES
United States District Judge